

December 12, 1983
Ordinance Book 32 - Page 439

ORDINANCE NO. 1456-X

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF CHARLOTTE, NORTH CAROLINA TO INCLUDE THE McALPINE CREEK TREATMENT PLANT PROPERTY

WHEREAS, the Council has been petitioned under G.S. 160A-31, as amended, to annex the area described herein; and

WHEREAS, the Council has by resolution directed the City Clerk to investigate the sufficiency of said petition; and

WHEREAS, the City Clerk has certified the sufficiency of said petition in a public hearing on the question of this annexation was held at the Council Chambers, City Hall at 3:00 o'clock, p.m., on the 12th day of December, 1983, after due notice of publication on the 1st day of December, 1983; and

WHEREAS, the Council does hereby find as a fact that said petition meets the requirements of G.S. 160A-31, as amended;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Charlotte, North Carolina:

Section 1. By virtue of the authority granted by G.S. 160A-31, as amended, the territory described in Exhibit A, attached hereto and incorporated herein by reference, is hereby annexed and made part of the City of Charlotte as of 12th day of December, 1983.

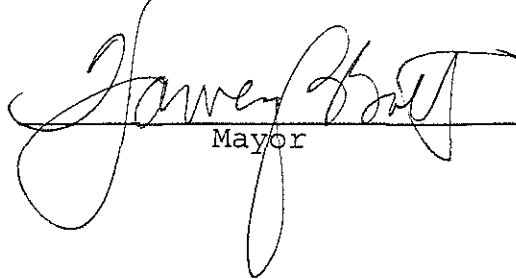
Section 2. Upon and after the 12th day of December, 1983, the territory described in Exhibit A and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Charlotte and shall be entitled to the same privileges and benefits as other parts of the City of Charlotte. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10 as of the _____ day of _____, 1983.

Section 3. The Mayor of the City of Charlotte shall cause to be recorded in the office of the Register of Deeds for Mecklenburg County and in the office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territory, described in Exhibit A, together with a duly certified copy of this ordinance.

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Section 4. This ordinance shall be published once, following the effective date of annexation, in a newspaper having general circulation in the City of Charlotte.

Adopted this 12th day of December, 1983.



Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



Deputy City Attorney

CERTIFICATION

I, PAT SHARKEY, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY, that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1983, the reference having been made in Minute Book 81, and is recorded in full in Ordinance Book 32 at Pages 439-443.

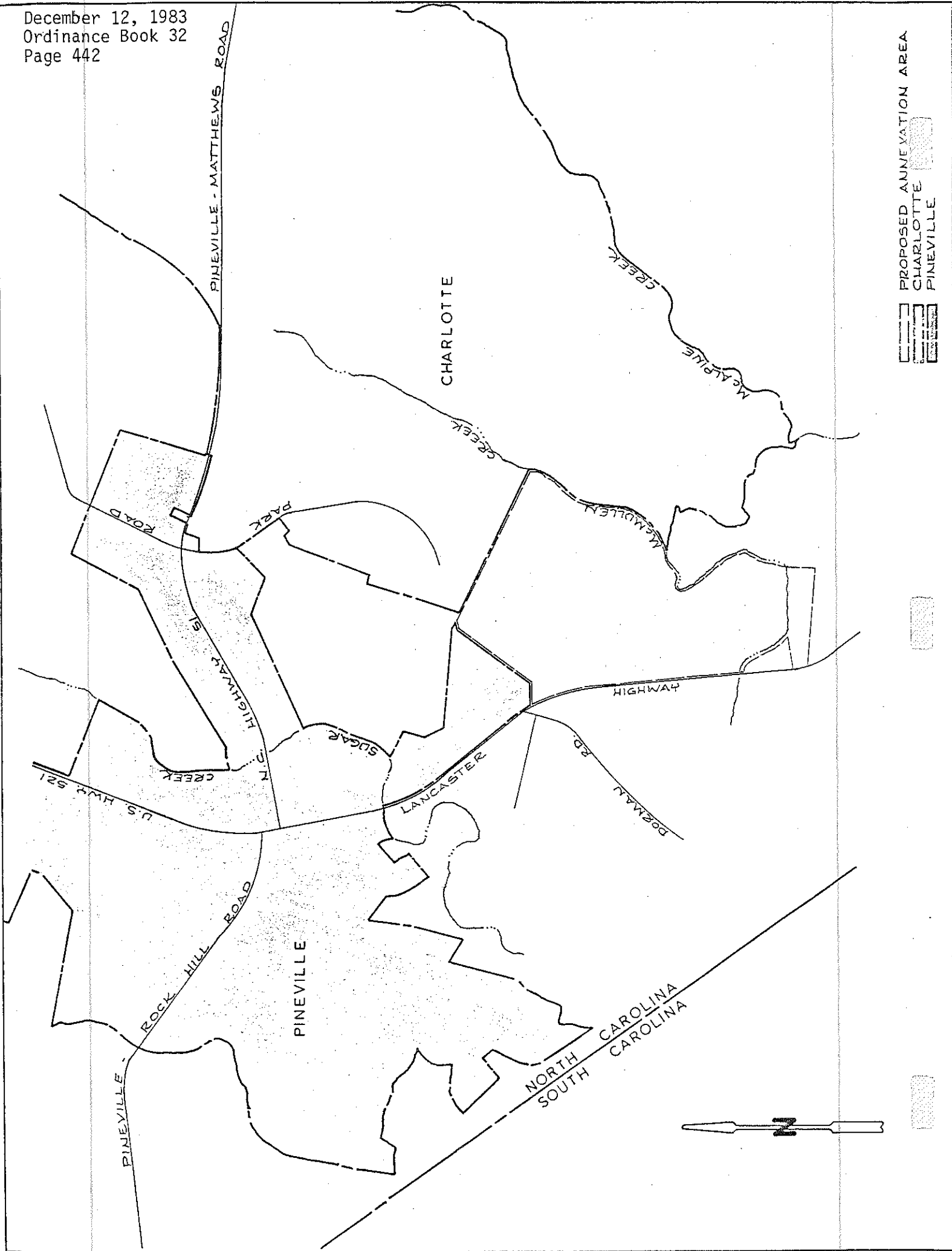
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of December, 1983.

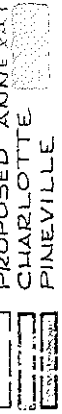
Pat Sharkey, City Clerk

EXHIBIT A

BEGINNING at a point in the municipal boundary of the City of Charlotte formed by the intersection of the center lines of McAlpine Creek and McMullen Creek and thence with the center line of McAlpine Creek and proceeding with the meanderings of said creek in a southwesterly direction approximately 3,394 feet to the northeasterly corner of a tract described in Deed Book 2313, Page 77, also being a common corner with the tract described in Deed Book 2240, Page 65 (both deeds being recorded in the Mecklenburg Public Registry); thence S 19-05-07 E, 40.20 feet; thence S 18-17-54 E, 162.63 feet; thence S 80-57-29 W, 1646.31 feet to a point in the center line of U.S. Highway 521; thence with the center line of U.S. Highway 521 N 23-53-45 W, 225.99 feet; thence continuing with the center line of U.S. Highway 521 N 10-52-22 W, 101.45 feet; thence with the following six (6) courses and distances: (1) N 74-38-50 E, 602.01 feet; (2) N 41-29-32 W, 169.73 feet; (3) N 28-49-11 W, 328.90 feet; (4) N 42-57-03 W, 161.16 feet; (5) N 24-12-30 W, 247.95 feet; (6) N 58-43-46 W, 210.89 feet to a point in the easterly margin of the right of way of U.S. Highway 521; thence with the easterly margin of said right of way in the following five (5) courses and distances: (1) N 05-35-10 W, 80.00 feet to a point in the center line of McAlpine Creek; (2) N 05-35-10 W, 2156.02 feet; (3) With the arc of a curve having a radius of 2864.79 feet to the left an arc distance of 589.90 feet; (4) N 17-23-03 W, 711.66 feet; (5) With the arc of a curve having a radius of 1462.70 feet to the left an arc distance of 15.88 feet; thence, leaving said right of way, N 65-27-20 E, 549.39 feet; thence N. 33-44-53 E, 1430.82 feet; thence S 67-26-37 E, approximately 3025 feet to a point in the center line of McMullen Creek, said point also being located on the municipal boundary of the City of Charlotte; thence with the center line of McMullen Creek and proceeding with the meanderings of said creek and along the municipal boundary of the City of Charlotte in a southerly direction, approximately 2740 feet to the Point and Place of BEGINNING, being property owned by the City of Charlotte on which the McAlpine Creek Treatment Plant is located.

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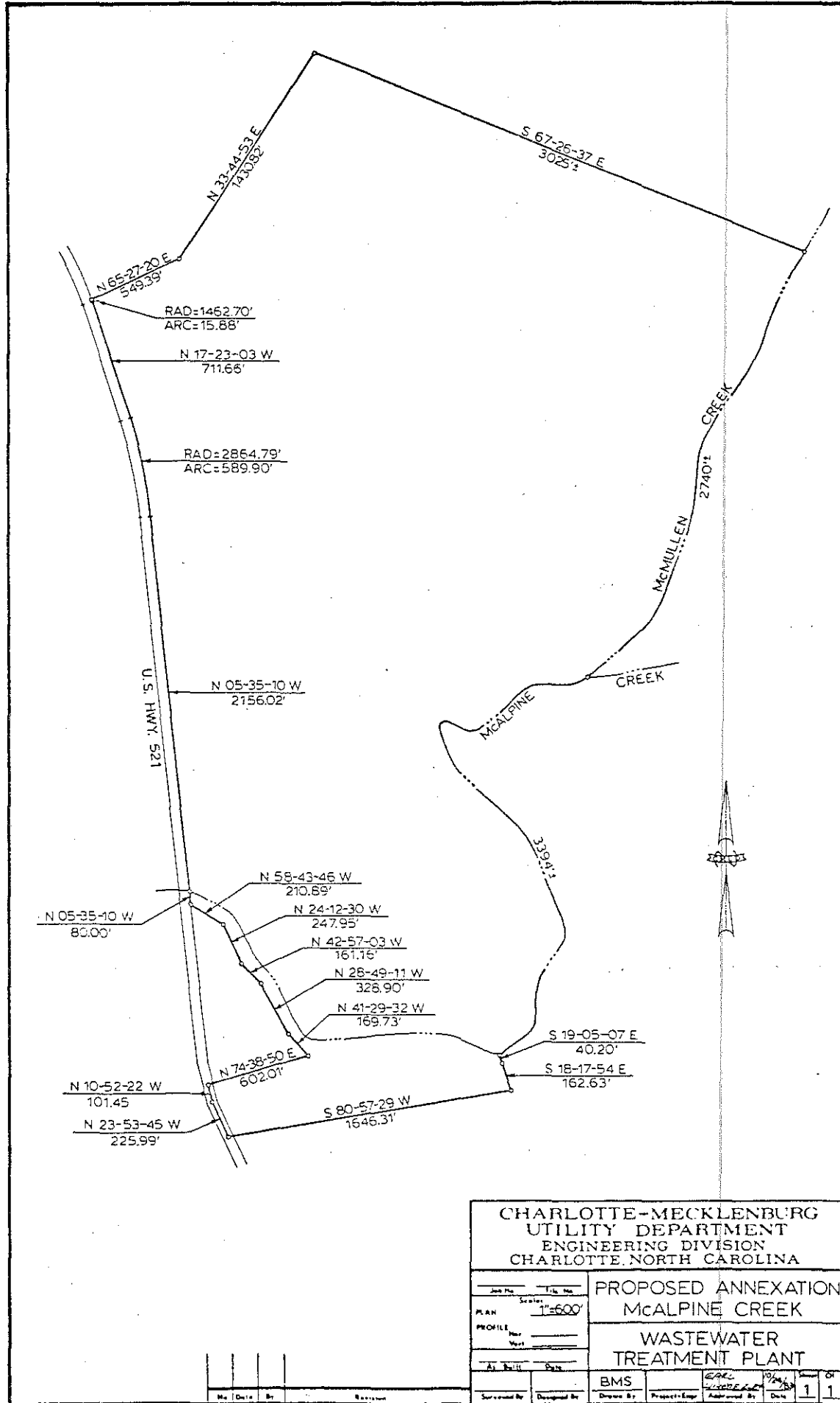




 PROPOSED ANNEXATION AREA
 CHARLOTTE
 PINEVILLE



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CHARLOTTE-MECKLENBURG UTILITY DEPARTMENT ENGINEERING DIVISION CHARLOTTE, NORTH CAROLINA			
Job No. _____ Scale: 1"=600' PLAN _____ PROFILE _____ As Built _____	PROPOSED ANNEXATION McALPINE CREEK WASTEWATER TREATMENT PLANT		
No. _____ Date _____ By _____ Revision _____	BMS Design By _____ Drawn By _____ Project/Eng. _____	EARL L. WOODRUFF 10/24/83 Approved By _____ Date _____	1 of 1 1

DUNCAN-PARNELL, INC., CHARLOTTE

ORDINANCE NO. 1457-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1376-X, THE 1983-84 BUDGET ORDINANCE, APPROPRIATING 1983 PUBLIC PARKING FACILITY REVENUE BONDS AND INCREASING THE REVENUE ESTIMATE AND APPROPRIATION FOR THE MUNICIPAL DEBT SERVICE FUND TO FINANCE THE ACQUISITION OF THE INDEPENDENCE PLAZA PUBLIC PARKING FACILITY.

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina;

Section 1. That the sum of \$5,800,000 is hereby available from the 1983 Public Parking Facility Revenue Bonds (2010; 422.40) to acquire the Independence Plaza Public Parking Facility.

Section 2. That the sum of \$5,800,000 is hereby appropriated to General Capital Improvement account 2010; 488.00 - Purchase of Independence Plaza Parking Garage.

Section 3. That the revenue estimate for the Municipal Debt Service Fund is hereby increased by \$300,000 in lease payments from Williams Faison Associates.

Section 4. That the sum of \$300,000 is hereby appropriated to the Municipal Debt Service Fund for payment of principal and interest on 1983 Public Parking Facility Revenue Bonds.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. This ordinance shall become effective upon its adoption.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1983, the reference having been made in Minute Book 81, and is recorded in full in Ordinance Book 32 at Page 444.

Pat Sharkey
City Clerk

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ORDINANCE NO. 1458-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1376-X, THE 1983-84 BUDGET ORDINANCE, TO TRANSFER \$60,000 FROM THE UNAPPROPRIATED FUND BALANCE OF THE GENERAL FUND FOR GROUND LEASE PAYMENTS ON THE INDEPENDENCE PLAZA PARKING GARAGE.

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina;

Section 1: That the sum of \$60,000 is hereby transferred from the unappropriated fund balance of the General Fund to Account No. 530.18 - Independence Plaza Parking Garage, for ground lease payments.

Section 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3: This ordinance shall become effective upon its adoption.

Approved as to form:

Henry W. Thackerill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1983, the reference having been made in Minute Book 81 and is recorded in full in Ordinance Book 32 at Page 445.

Pat Sharkey
City Clerk

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ORDINANCE NO. 1459-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1376-X, THE 1983-84 BUDGET ORDINANCE, APPROPRIATING \$3,500,000 FOR THE CONSTRUCTION OF COFFEY CREEK OUTFALL.

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina;

Section 1. That the sum of \$3,500,000 can be appropriated from 1983 Sewer Bonds to account 2075; 631.19 (Coffey Creek Outfall). These funds will be used to construct the outfall.

Section 2. That the Finance Director or his designee is hereby authorized to lend the sum of \$3,500,000 from the unappropriated Water and Sewer Operating Fund Balance to account 2075; 631.19 (Coffey Creek Outfall) until the 1983 Sewer Bonds appropriated and authorized for this project are sold. Upon sale of these bonds, the \$3,500,000 will be repaid to the Water and Sewer Operating Fund Balance.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall become effective upon its adoption.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1983, the reference having been made in Minute Book 81 and is recorded in full in Ordinance Book 32 at Page 446.

Pat Sharkey
City Clerk

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ORDINANCE NO. 1460-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1376-X, THE 1983-84 BUDGET ORDINANCE, TRANSFERRING FUNDS FOR CONSTRUCTION OF THE FRANKLIN RAW WATER BY-PASS SYSTEM.

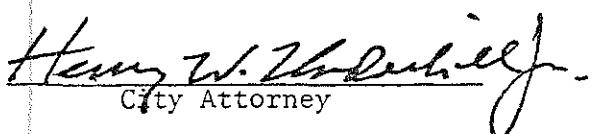
BE IT ORDAINED by the City Council of the City of Charlotte,
North Carolina;

Section 1. That the sum of \$600,000 is hereby transferred from CIP Account 2071; 635.41--(North Tryon Street Water Mains)--to 2071; 634.08--(Franklin Raw Water By-Pass). These funds will be used to construct a by-pass system to the Franklin Water Treatment Plant.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall become effective upon its adoption.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1983, the reference having been made in Minute Book 81, and is recorded in full in Ordinance Book 32 at Page 447.

Pat Sharkey
City Clerk

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ORDINANCE NO. 1461-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1376-X, THE 1983-84 BUDGET ORDINANCE, TRANSFERRING BOND FUNDS TO PROVIDE WATER SERVICE IN AN AREA OF THE BILLY GRAHAM PARKWAY.

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina;

Section 1. That the sum of \$90,000 is hereby transferred from Bond Fund 4207 - 1978 Water Bonds to account 2071; 635.13 - Water Main I-85 Service Road to Billy Graham Parkway. These funds will be used to provide water service and fire protection in this area of the Billy Graham Parkway.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall become effective upon its adoption.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1983, the reference having been made in Minute Book 81, and is recorded in full in Ordinance Book 32 at Page 448.

Pat Sharkey
City Clerk

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ORDINANCE NO. 1462-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1376-X, THE 1983-84 BUDGET ORDINANCE, TO TRANSFER POSITIONS AND FUNDS TO THE DEPARTMENT OF TRANSPORTATION FOR THE OPERATION OF A CONSOLIDATED SPECIAL TRANSPORTATION PROGRAM.

BE IT ORDAINED by the City Council of the City of Charlotte,
North Carolina;

Section 1. That the sum of \$192,630 is hereby transferred from Neighborhood Centers to the Department of Transportation for the operation of a consolidated Special Transportation Program for the period, November 1, 1983 to June 30, 1984.

Section 2. That the Tables of Authorized Positions are hereby amended to reflect the transfer of the following positions from Neighborhood Centers to the Department of Transportation.

<u>Class No.</u>	<u>Class Title</u>	<u>Salary Range No.</u>	<u>Number of Positions</u>
2670	Transportation Supervisor	19	1
1106	Equipment Operator II	9	2
1105	Equipment Operator I	7	3
0003	Office Assistant III	6	1
0002	Office Assistant II	4	1
Temporary Persons - Weeks			45

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall become effective upon its adoption.

Approved as to form:

Henry W. Charles III Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1983, the reference having been made in Minute Book 81 and is recorded in full in Ordinance Book 32 at Page 449.

Pat Sharkey
City Clerk

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Engineering Dept.
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ORDINANCE NO. 1463-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1376-X, THE 1983-84 BUDGET ORDINANCE, ESTIMATING AND APPROPRIATING LAND AND WATER CONSERVATION FUNDS FOR DIEHL CENTER PLAYGROUND CONSTRUCTION.

BE IT ORDAINED by the City Council of the City of Charlotte,
North Carolina;

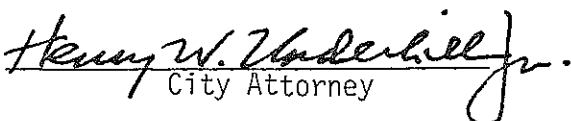
Section 1. That the sum of \$21,575, in Federal Land and Water Conservation Funds, is hereby estimated to be available from the National Park Service to fund construction of the Diehl Center Playground.

Section 2. That the sum of \$21,575 is hereby appropriated to account 2010; 389.01 (Diehl Center Playground).

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall become effective upon its adoption.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1983, the reference having been made in Minute Book 81, and is recorded in full in Ordinance Book 32 at Page 450.

Pat Sharkey
City Clerk

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ORDINANCE NO. 1464-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1376-X, THE 1983-84 BUDGET ORDINANCE, ESTIMATING STATE REVENUES AND PROVIDING A SUPPLEMENTAL APPROPRIATION FOR THE BRIDGE REPLACEMENT PROGRAM.

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina;

Section 1. That the sum of \$125,358.39 is hereby estimated to be available from the North Carolina Department of Transportation for the construction of a culvert on Stewart Creek at Hoskins Road.

Section 2. That the sum of \$125,358.39 is hereby appropriated to General Capital Improvement account 2010; 248.00 - Bridge Replacement Program.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall become effective upon its adoption.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1983, the reference having been made in Minute Book 81 and is recorded in full in Ordinance Book 32 at Page 451.

Pat Sharkey
City Clerk

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ORDINANCE NO. 1465-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1376-X, THE 1983-84 BUDGET ORDINANCE, ESTIMATING REVENUES FOR TRANSIT PLANNING PROJECTS TO BE INITIATED DURING FY 1983-84.

BE IT ORDAINED by the City Council of the City of Charlotte,
North Carolina;

Section 1. That the sum of \$48,375 is estimated to be available from the following sources:

UMTA Section 8 Planning Grant	\$43,000
North Carolina Department of Transportation	<u>5,375</u>
Total	\$48,375

These funds will be used to continue work on the following planning projects: Reevaluation of Mathematical Model, Reprojection of Future Travel Patterns, Comprehensive Transit System Management Studies. The City's in-kind match of \$5,375 is included in the Department of Transportation's FY84 appropriation.

Section 2. It is anticipated that these projects will extend beyond the FY84 ordinance and will remain in effect for the duration of the projects.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall become effective upon its adoption.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1983, the reference having been made in Minute Book 81 and is recorded in full in Ordinance Book 32 at Page 452.

Pat Sharkey
City Clerk

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ORDINANCE NO. 1466-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1376-X, THE 1983-84 BUDGET ORDINANCE, ESTIMATING AND APPROPRIATING FUNDS FROM SPIRIT SQUARE ARTS CORPORATION FOR MECHANICAL RENOVATIONS.

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina;

Section 1. That the sum of \$2,000 is hereby estimated to be available from Spirit Square Arts Corporation to fund a change order for mechanical renovations to Spirit Square's Performance Place.

Section 2. That the sum of \$2,000 is hereby appropriated to General CIP account 2010; 269.01 - Spirit Square Mechanical Renovations.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall become effective upon its adoption.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1983, the reference having been made in Minute Book 81 and is recorded in full in Ordinance Book 32 at Page 453.

Pat Sharkey
City Clerk

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ORDINANCE NO. 1467-X

AN ORDINANCE ORDERING THE DIRECTOR OF THE COMMUNITY DEVELOPMENT DEPARTMENT TO CAUSE THE DWELLING LOCATED AT 122 Lakewood Avenue IN THE CITY OF CHARLOTTE TO BE REPAIRED, ALTERED OR IMPROVED, SAID BUILDING BEING THE PROPERTY OF H. E. Kiser RESIDING AT 1916 Dilworth Road, East, Charlotte, N.C. 28203

WHEREAS, the dwelling located at 122 Lakewood Avenue in the City of Charlotte has been found by the Director of the Community Development Department to be unfit for human habitation; and

WHEREAS, said dwelling was occupied at the time of the initial inspection in which violations of the Housing Code of the City of Charlotte were found to exist; and

WHEREAS, said dwelling is located in A Depressed Area - Census Tract #45 under the current Housing Assistance Plan; and

WHEREAS, pursuant to the provisions of Section 160A-443 of the North Carolina General Statutes and Section 10A-12 of the Housing Code of the City of Charlotte, the owner (s) of said dwelling have been ordered by the Director of the Community Development Department to repair, alter or improve or to vacate and close said dwelling; and

WHEREAS, the owner (s) of said dwelling has failed to comply with said order to repair, alter or improve or to vacate and close said dwelling; served upon them by Certified Mail on 9/12/83; and

WHEREAS, the cost of repairs necessary to bring said dwelling into compliance with requirements of the Housing Code is less than 65% of the fair market value of the dwelling; and

WHEREAS, among the Housing Code violations existing in and upon said dwelling is a violation of Section (s) 10A-8-7-h-2 and 10A-8-7c5.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Charlotte, North Carolina that the Director of the Community Development Department is hereby ORDERED to cause the dwelling located at 122 Lakewood Ave. in the City of Charlotte to be repaired, altered or improved as provided in the Order of the Director dated 9/12/83, and all other repairs necessary to bring said dwelling into compliance with the Housing Code of the City of Charlotte, and to cause a lien in the amount of the cost incurred in making such repairs, alterations or improvements to be placed against the real property at said location, pursuant to the provisions of Section 160A-443 of the North Carolina General Statutes and Sections 10A-12 and 10A-15 of the Charlotte City Code.

This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Henry W. Underhill, Jr. by David W. Smith
CITY ATTORNEY

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1983 the reference having been made in Minute Book 81, and is recorded in full in Ordinance Book 32, at Page 454.

Pat Sharkey
City Clerk